

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

Crl.Rev.Pet.No. 698 of 1997(E)

**CRA.427/1996 of SPL.COURT SPE/CBI-II & IV ADDL.SESIONS
COURT, ERNAKULAM , DT.16.7.1997.**

**CC.277/1995 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOCHI
DT.19.11.1996.**
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REVN. PETITIONER: APPELLANT/ ACCUSED

**A.K.KASI VISWANATHAN,
A.A.K. COMPOUND, KOCHI 35.**

BY ADV. SRI.JAIJI ITTEN

1ST RESPONDENT: DEFACTO- COMPLAINANT/ 2ND RESPONDENT

- 1. M.S.MOHAMMED ISMAIL
REP.BY FOR HIS LATE
FATHER ABDUL KHADER,
ISMAIL COTTAGE, KEERANNUR,
PALANI, THAMIL NADU.**
- 2. STATE, THROUGH THE PUBLIC PROSECUTOR,
ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI.S.DILIP
SRI.ASHIK K.MOHAMMED ALI**

**THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 27/06/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

K.R. UDAYABHANU, J.

Crl. R.P.No.698 of 1997

Dated 27th June, 2007

ORDER

The revision petitioner stands convicted for the offence under section 138 N.I.Act and sentenced to pay a fine of Rs.50,000/- and out of the fine amount, Rs.40,000/- is ordered to be paid to the complainant. Counsel for the revision petitioner has only sought for modification of the sentence and sought for reducing the fine amount to Rs.40,000/-.

2. In the circumstance, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.40,000/- and in default to undergo simple imprisonment for 3 months. It is submitted that the amount has already been deposited. If there is excess amount in deposit, the same can be withdrawn by the accused. The revision petitioner shall appear before the JFCM-II, Kochi on 20-8-2007 to receive the sentence.

The Crl.R P is disposed of accordingly.

kvm/-

K.R.UDAYABHANU, JUDGE.

CRA

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K.R.UDAYABHANU, J.

CRL.R.P. 698 OF 1997

ORDER

27-6-2007.